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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,814	03/17/2004	Masataka Kakuta	25-281	2512
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EXAMINER				
SAFAIPOUR, HOUSHANG				
ART UNIT		PAPER NUMBER		
2625				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/801,814

Applicant(s)

KAKUTA, MASATAKA

Examiner

HOUSHANG SAFAIPOUR

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. The only argument presented by the applicant is that the prior arts do not disclose a member that connects the bottom surfaces of a platen glass and an end glass being "in the form of a sheet". Yokota, in the "Background of the Invention", refers to figures 8 and 9 of JP 10-186535 (translation of which is available on JP web site) and discloses an apparatus having a support member connecting together the first glass sheet 12 and a second glass sheet 13. The support member has concave shape as shown in fig. 8 and is flush (in the form of a sheet) with the glass surfaces as shown in fig. 9 (col. 1, lines 54-59 and col. 2 line 61 to col. 17) (for more details please refer to JP 10-186535 paragraphs [0064, 0126], figures 8 (concave) and 19 (in the form of a sheet).

Furthermore, although applicant has disclosed a bridging member in the form of a sheet, however he has not disclosed that sheet like bridging member provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the bridging member in the form as taught by Yokota and 10-186535.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota (US 7,072,082) and further in view of JP 10-186535 (detailed translation is available on JP web site).

Regarding claim 1, Yokota discloses an image reading device having a first end and a second end comprising a platen glass for supporting an original document (see 12 in Figs.1-3, 7-9), an end glass adjacent to the platen glass (see 13 in Figures 1-3, 7-9), a member that connects bottom surfaces of the platen glass and the end glass (see 4 in Figures 1-3, 7-9), a feeder for feeding a document to the platen glass (see Figures 4, 6), a carriage arranged for movement relative to the platen glass and the end glass from the first end of the image-reading device toward the second end of the image-reading device (see 5 in Figures 1-3, 7-9), a rod lens array mounted on the carriage (see "lens" in line 16 in column 4), a photoelectric transfer device for reading an image of the original document formed by the rod lens array (see 1 in Figures 1-3, 7-9), a controller (see 22 in Figure 1) for driving the carriage at a first speed as it travels from the first end to the second end and for driving the carriage at a second speed that is slower than the first speed during a time the carriage is traveling near the second end (see "the CIS 1 is temporarily brought back to the end on the flow reading glass sheet 13 side...and starts to accelerate from there in the sub-scanning direction...acceleration is completed before the original leading end position A is reached...and image reading is started when the CIS 1, which has attained a fixed speed, reaches the original leading end portion A" in lines 64-66 in col. 6, and lines 1-4, 7-9 in col.7), wherein the carriage includes a sliding member (see 2 in Figs.1-3, 7-9) that is biased against the member (see 4 in Figs.1-3, 7-9) during a time the carriage is being driven by the controller at the second speed (see "the CIS 1 is temporarily brought back to the

end on the flow reading glass sheet 13 side...and starts to accelerate from there in the sub-scanning direction...acceleration is completed before the original leading end position A is reached...and image reading is started when the CIS 1, which has attained a fixed speed, reaches the original leading end portion A" in lines 64-66 in col. 6, and lines 1-4, 7-9 in col.7).

Yokota, in his fig. 2, shows a bridge member 4e and in the "Background of the Invention", refers to his figures 8 and 9 and JP 10-186535 (translation of which is available on JP web site) and discloses an apparatus having a support member (bridge member) connecting together the first glass sheet 12 and a second glass sheet 13. The support member (bridging member) has concave shape as shown in fig. 8 and is flush (in the form of a sheet) with the glass surfaces as shown in fig. 9 (col. 1, lines 54-59 and col. 2 line 61 to col. 17) (for more details please refer to JP 10-186535 paragraphs [0064, 0126], figures 8 (concave) and 19 (in the form of a sheet).

Regarding claim 2, Yokota discloses the carriage is biased against the platen glass (see 2 & 12 in Figures 1-3, 7-9) during a time the carriage is being driven by the controller at the first speed (see "the CIS 1 is temporarily brought back to the end on the flow reading glass sheet 13 side...and starts to accelerate from there in the sub-scanning direction... acceleration is completed before the original leading end position A is reached...and image reading is started when the CIS 1, which has attained a fixed speed, reaches the original leading end portion A" in lines 64-66 in column 6, and lines 1-4, 7-9 in column 7), and the carriage is biased against the end glass (see 2 & 13 in Figures 1-3, 7-9) during a time the carriage is being driven by the controller at the second speed (see "the CIS 1 is temporarily brought back to the end on the flow reading glass sheet 13 side...and starts to accelerate from there in the sub-scanning direction...acceleration is

completed before the original leading end position A is reached...and image reading is started when the CIS 1, which has attained a fixed speed, reaches the original leading end portion A" in lines 64-66 in col. 6, and lines 1-4, 7-9 in col.7).

Allowable Subject Matter

3. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOUSHANG SAFAIPOUR whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipour/
Primary Examiner, Art Unit 2625